Wiley Rein & Fielding LLP

1776 K STREET NW
WASHINGTON, DC 20006
PHONE 202.719.7000
FAX 202.719.7049

Virginia Office
7925 JONES BRANCH DRIVE
SUITE 6200
McLEAN, VA 22102
PHONE 703.905.2800
FAX 703.905.2820

www.wrf.com

June 16, 2005

Marnie K. Sarver
202.719.4289
msarver@wrf.com

ELECTRONICALLY FILED
(VIA ECFS)

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Facility ID Number: 36917

Re: MB Docket No. 03-15
KGMB-DT, Honolulu, HI
Replication/Maximization Interference Protection Deadline

Dear Ms. Dortch:

On behalf of Emmis Television License, LLC ("Emmis"), the licensee of digital television ("DTV") station KGMB-DT, Honolulu, Hawaii (Facility Id. No. 36917) ("KGMB"), we hereby notify the Commission that, on this date, KGMB has filed a request for an STA that will allow it to provide service to 98.4% of the population served by its 1997 NTSC facility. A copy of the STA request is attached hereto.

KGMB's current DTV construction permit does not expire until September 16, 2007. *See* FCC File No. BPCDT-20040608AAZ. Thus, although KGMB is a top four network-affiliated station in one of the nation's top 100 markets that has chosen its analog channel for post-transition operation, the station is not subject to the requirement that it serve 100% of the population served by its 1997 NTSC facility by July 1, 2005. *See* Public Notice, *DTV Channel Election Issues – Compliance with the July 1, 2005 Replication/ Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline*, DA 05-1636 (rel. June 15, 2005).

If there are any questions concerning this matter, please contact the undersigned.

Sincerely,

/S/

Marnie K. Sarver

cc (by email): Shaun Maher

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Engineering STA Read Instructions/FAQ before filling out form		FOR COMMISSION USE ONLY FILE NO. - 20050616ABJ

Section I - General Information

1.	Legal Name of the Applicant EMMIS TELEVISION LICENSE, LLC		
	Mailing Address 3500 W. OLIVE AVENUE SUITE 1450		
	City BURBANK	State or Country (if foreign address) CA	Zip Code 91505 -
	Telephone Number (include area code) 8182380209		E-Mail Address (if available) MRICE@EMMIS.COM
	FCC Registration No 0011294444	Call Sign KGMB	Facility ID Number 36917
2.	Contact Representative (if other than licensee/permittee) MARNIE K. SARVER		Firm or Company Name WILEY REIN & FIELDING LLP
	Mailing Address WILEY REIN & FIELDING LLP 1776 K STREET, NW		
	City WASHINGTON	State or Country (if foreign address) DC	ZIP Code 20006 -
	Telephone Number (include area code) 2027197000		E-Mail Address (if available) MSARVER@WRF.COM
3.	Purpose: ◉ Engineering STA		
	○ Extension of Existing Engineering STA		
	○ Legal STA		
	○ Extension of Existing Legal STA		
4.	Service: DT		
5.	Community of License: City: HONOLULU State: HI		
6.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): ○ Governmental Entity ○ Noncommercial Educational Licensee/Permittee ○ Other		

TECHNICAL SPECIFICATIONS

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

7.1.	Channel: 22
7.2.	Zone: ○ I ◉ II ○ III
7.3.	Antenna Location Coordinates: (NAD 27) Latitude:

	Degrees 21 Minutes 17 Seconds 46 (•) North ( ) South Longitude: Degrees 157 Minutes 50 Seconds 36 (•) West ( ) East
7.4.	Antenna Structure Registration Number: 1005850 ☐ Not Applicable ☐ Notification filed with FAA
7.5.	Antenna Location Site Elevation Above Mean Sea Level: 1.5 meters
7.6.	Overall Tower Height Above Ground Level: 133 meters
7.7.	Height of Radiation Center Above Ground Level: 107.5 meters
7.8.	Height of Radiation Center Above Average Terrain: - 33.3 meters
7.9.	Maximum Effective Radiated Power (average): 15 kW
7.10.	Antenna Specifications: ( ) Nondirectional (•) Directional a. Manufacturer DIE Model DL-8 b. Electrical Beam Tilt: 1 degrees ☐ Not Applicable c. Mechanical Beam Tilt: degrees toward azimuth degrees True ☑ Not Applicable d. Polorization: (•) Horizontal ( ) Circular ( ) Elliptical Directional Antenna Relative Field Values: Rotation (Degrees): ☑ No Rotation

Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0	0.934	10	0.964	20	0.984	30	0.998	40	0.998	50	0.99
60	0.97	70	0.939	80	0.899	90	0.852	100	0.799	110	0.742
120	0.687	130	0.637	140	0.597	150	0.574	160	0.566	170	0.577
180	0.596	190	0.618	200	0.634	210	0.644	220	0.644	230	0.637
240	0.623	250	0.602	260	0.584	270	0.574	280	0.571	290	0.593
300	0.629	310	0.673	320	0.728	330	0.789	340	0.844	350	0.893
Additional		35	1								

Azimuths											

8.	Please explain in detail the "extraordinary circumstances" which warrant temporary operations at variance from the Commission's Rules. In addition, please specify 1)the specific rules and/or policies from which the applicant seeks temporary relief; 2) how the public interest will be furthered by grant; and 3) the expected duration of the STA and the licensee's plan for restoration of licensed operation. If requesting variance with other than authorized technical facilities, please specify the exact facilties sought	[Exhibit 21]
9.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	(•) Yes ( ) No

I certify that I have prepared Engineering Data on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name ROBERT D. CULVER, P.E., MD REG. NO. 19672	Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER	
Signature	Date (mm/dd/yyyy) 5/25/2005	
Mailing Address LOHNES AND CULVER 8309 CHERRY LANE		
City LAUREL	State or Country (if foreign address) MD	Zip Code 20707 -
Telephone Number (No dashes or parentheses, include area code) 3017764488	E-Mail Address (if available) BOBCUL@LOCUL.COM	

I hereby certify that the statements in this application are true, complete, and correct to the best of my kowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing J. SCOTT ENRIGHT	Typed or Printed Title of Person Signing VICE PRESIDENT & SECRETARY
Signature	Date (mm/dd/yyyy) 6/14/2005

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 21
Description: STA CIRCUMSTANCES

SEE ATTACHED.

Attachment 21

Description
Narrative Statement
Engineering Statement

KGMB-DT
Honolulu, HI
Facility Id. No. 36917

STA CIRCUMSTANCES

Emmis seeks special temporary authority to operate KGMB on DTV channel 22 with the facilities specified in this request. Expedited processing of this STA request is respectfully requested.

As the Commission's records show, Emmis has obtained authority to "swap" KGMB's DTV channel with commonly-owned station KHON in Honolulu. KHON currently operates on NTSC channel 2 and has paired DTV channel 22, and is operating with reduced facilities pursuant to an STA. *See* FCC File No. BMDSTA-20030522AJC, as extended. Therefore, KGMB and KHON hold the following authorizations:

	NTSC	DTV Allot	Current DTV	DTV CP
KHON	Ch. 2	Ch. 22 1000 kW	Ch. 22 4.56 kW (STA)[1]	Ch. 8 7.2 kW
KGMB	Ch. 9	Ch. 8 7.2 kW	Ch. 8 7.2 kW (Lic)	Ch. 22 1000 kW

KHON's STA expires on July 1, 2005, by which date it is prepared to file a license application to cover operations on Channel 8.

The public interest will be served by a grant of the instant STA request, which will allow KGMB to continue to provide uninterrupted DTV service to the public. The STA facilities will comply with the FCC's rules, including, as the attached engineering statement demonstrates, the RFR exposure guidelines.

Expedited processing of this STA request is warranted based on the need to expeditiously effectuate the already-authorized "swap" of KGMB's DTV channel with that of KHON. The "swap" must be accomplished prior to July 1, 2005 in order to allow KHON to meet the deadline for maximization/replication interference protection and the deadline contained in its construction permit. *See* FCC File No. BMPCDT-20040608ABB.[2]

Accordingly, on behalf of Emmis, we hereby respectfully request that the FCC issue an STA to operate with the facilities specified in this request for a period of six months on an expedited basis.

---

[1] The KHON-DT antenna could not be located at the building-top site of the KHON analog antenna. Therefore, the Channel 22 STA facilities are located at the KGMB site until the end of the DTV transition, when the existing KGMB channel 9 antenna will be modified to handle the combined KHON and KGMB operations on digital channels 8 and 9 (see below). The channel 2 and 22 antennas will be removed.

[2] Although KHON's construction permit contains a March 16, 2005 expiration date, that date was automatically extended while KHON operated pursuant to its STA on channel 22.

EXHIBIT 1
ENVIRONMENTAL STATEMENT
RE: SPECIAL TEMPORARY AUTHORIZATION
KGMB-DT 15 KW 107.5 M AGL CH. 22
HONOLULU, HAWAII

INTRODUCTION

This statement is prepared on behalf of Emmis Television License, LLC, hereafter Emmis or KGMB. It requests a Special Temporary Authorization (STA) to activate the KGMB-DT digital television (DTV) station on Channel 22 at Honolulu, Hawaii. The operation will be at the reduced ERP of 15 kW rather than the full ERP of 1000 kW specified in the Construction Permit in FCC File No. BPCDT-20040608AAZ.

PROPOSED SPECIAL TEMPORARY AUTHORITY

KGMB-DT and KHON-DT have completed a DTV channel swap and KGMB-DT now requests STA authorization for channel 22, rather than formerly authorized DTV channel 8. The instant request is categorically excluded from environmental processing by Section 1.1306 of the Commission's rules since the specified facility does not involve a transmitter location as described in Section 1.1307(a) and does not exceed the safety standards for human exposure to radio-frequency (RF) energy in Section 1.1307(b) as described below. Accordingly, the temporary facility is deemed not to have a significant effect on the quality of the human environment under Section 1.1307 and does not require an environmental assessment.

R.F. EXPOSURE ANALYSIS

The temporary low power operation for KGMB-DT will not result in an RF field exceeding the *RF Radiation Exposure Limits* specified in Section 1.1310 of the Commission's rules. Specifically, this proposal complies with the maximum permissible exposure (MPE) limits of 347 μW/cm² for general (un-controlled environment) exposure and 1737 μW/cm² for occupational (controlled environment) exposure established for

Channel 22 at 521 MHz. Compliance with these limits was determined based on a "worst case" estimation of ground level power density using the EPA prediction method adopted by the Commission. The antenna type, vertical pattern and operating parameters specified in the STA proposal were assumed in the calculation of power density.

The "worst case" power density level accessible at two meters above ground as a result of the temporary Channel 22 facility is calculated to be 2.29 $\mu W/cm^2$. A conservative antenna relative field value of 0.23 was assumed in making this "worst case" determination based on the manufacturer's elevation pattern and tabulation attached as Figures 1 and 2. These figures demonstrate that the above field value is not exceeded at any angle greater than 7/ below the horizontal. Since the estimated "worst case" contribution for the temporary facility is less than 5% of both the un-controlled and controlled environment MPE limits, the applicant is not required to further evaluate the antenna location with respect other RF contributors.

It has been demonstrated that the temporary facility will comply with the occupational exposure guideline at any ground level location. However, workers at higher elevations on the antenna structure, closer to the RF source, will be protected from excessive exposure to RF fields in accordance with the methods recommended in *OET Bulletin No. 65, Version 97-01.* The applicant will adopt a work policy designed in coordination with other users at the site to avoid harmful exposure when work is being done at higher elevations on the tower. Preventive steps to avoid excessive exposure shall include scheduling work on the tower when the facility is shut down or operating at reduced power or by time averaging.

Respectfully submitted,

LOHNES AND CULVER
Laurel, MD 20707
301-776-4488

May, 2005

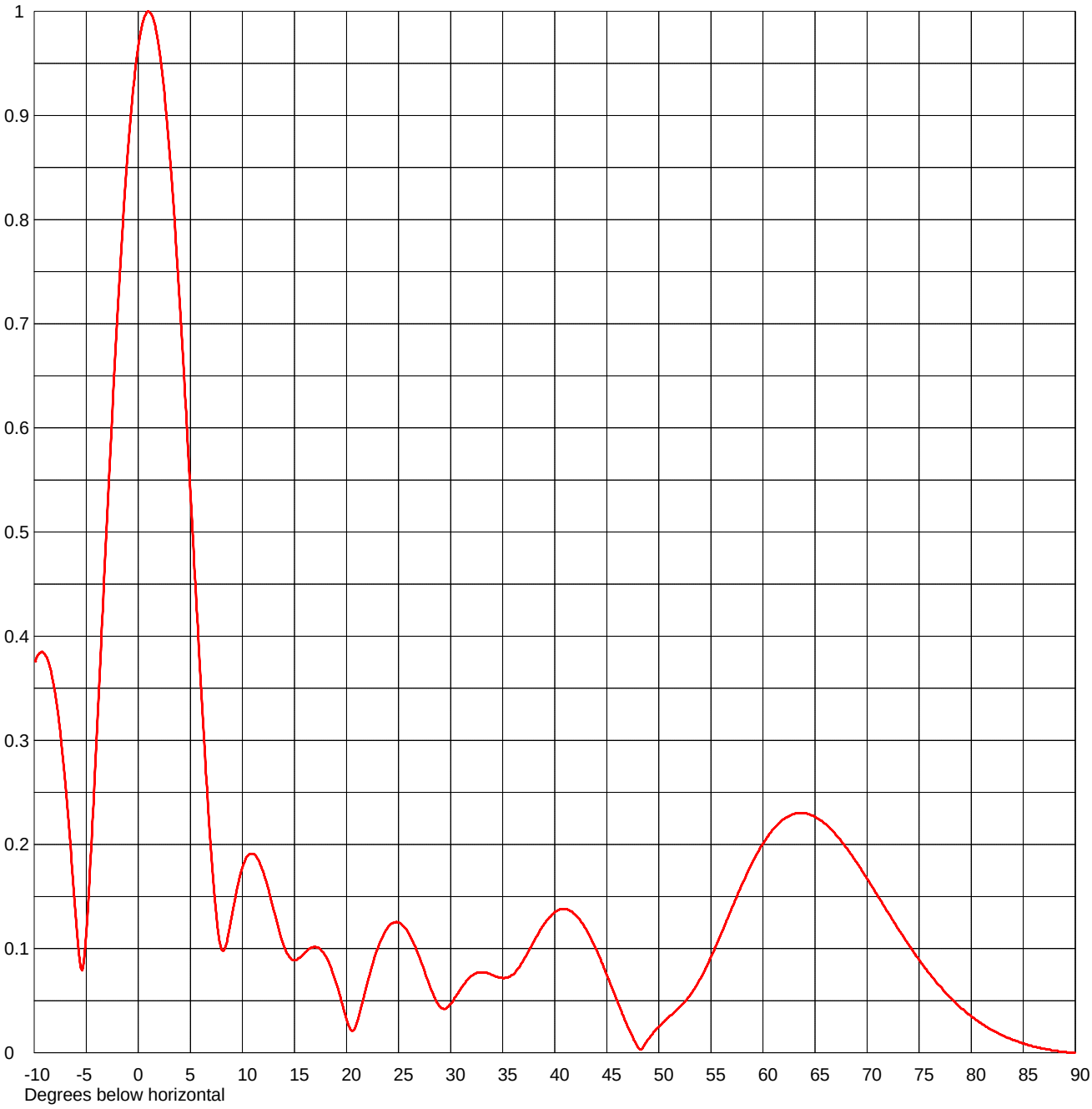
Exhibit No.

Dielectric

Date	**25 May 2005**		
Call Letters		Channel	**22**
Location			
Customer			
Antenna Type	**DL-8**		

ELEVATION PATTERN

RMS Gain at Main Lobe	**8 (9.03 dB)**	Beam Tilt	**1.00 Degrees**
RMS Gain at Horizontal	**7.5 (8.75 dB)**	Frequency	**521.00 MHz**
Calculated / Measured	**Calculated**	Drawing #	**08L08010-90**



Remarks:

Exhibit No.

Dielectric

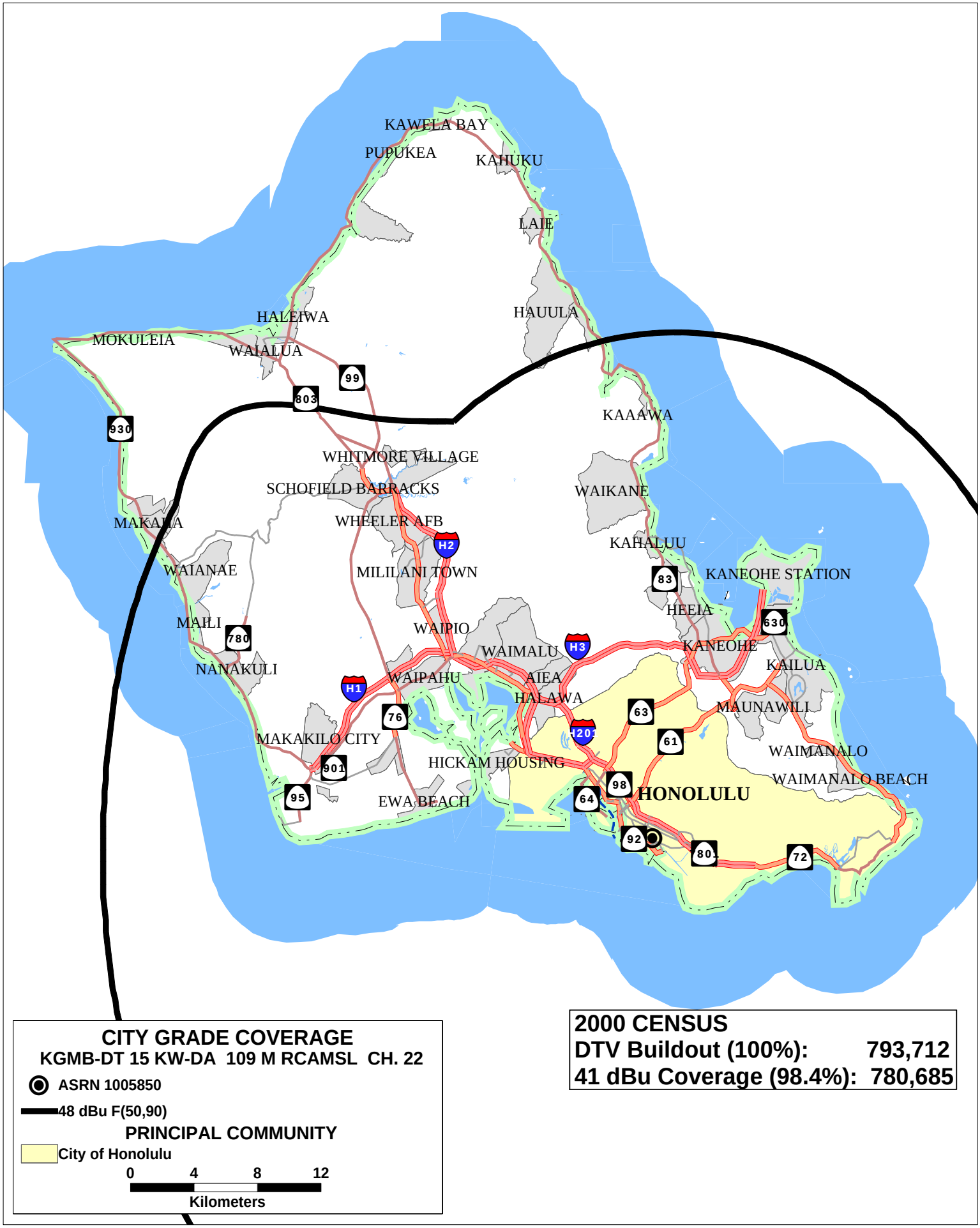
Date **25 May 2005**
Call Letters
Location
Customer
Antenna Type **DL-8**
Channel **22**

TABULATION OF ELEVATION PATTERN

Elevation Pattern Drawing # **08L08010-90**

Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field
-10.0	0.374	2.4	0.931	10.6	0.190	30.5	0.054	51.0	0.035	71.5	0.143
-9.5	0.384	2.6	0.911	10.8	0.191	31.0	0.062	51.5	0.039	72.0	0.135
-9.0	0.383	2.8	0.889	11.0	0.191	31.5	0.069	52.0	0.044	72.5	0.127
-8.5	0.371	3.0	0.865	11.5	0.186	32.0	0.074	52.5	0.049	73.0	0.119
-8.0	0.346	3.2	0.839	12.0	0.174	32.5	0.077	53.0	0.055	73.5	0.111
-7.5	0.308	3.4	0.811	12.5	0.157	33.0	0.077	53.5	0.063	74.0	0.104
-7.0	0.258	3.6	0.781	13.0	0.137	33.5	0.077	54.0	0.071	74.5	0.096
-6.5	0.197	3.8	0.750	13.5	0.118	34.0	0.075	54.5	0.081	75.0	0.089
-6.0	0.130	4.0	0.717	14.0	0.102	34.5	0.073	55.0	0.092	75.5	0.082
-5.5	0.081	4.2	0.683	14.5	0.092	35.0	0.072	55.5	0.103	76.0	0.076
-5.0	0.114	4.4	0.648	15.0	0.089	35.5	0.072	56.0	0.115	76.5	0.070
-4.5	0.201	4.6	0.613	15.5	0.091	36.0	0.075	56.5	0.127	77.0	0.064
-4.0	0.303	4.8	0.576	16.0	0.096	36.5	0.081	57.0	0.139	77.5	0.058
-3.5	0.408	5.0	0.539	16.5	0.100	37.0	0.089	57.5	0.150	78.0	0.053
-3.0	0.513	5.2	0.502	17.0	0.102	37.5	0.098	58.0	0.162	78.5	0.048
-2.8	0.555	5.4	0.465	17.5	0.099	38.0	0.107	58.5	0.173	79.0	0.043
-2.6	0.595	5.6	0.428	18.0	0.093	38.5	0.116	59.0	0.183	79.5	0.039
-2.4	0.634	5.8	0.392	18.5	0.082	39.0	0.124	59.5	0.192	80.0	0.035
-2.2	0.672	6.0	0.355	19.0	0.067	39.5	0.130	60.0	0.201	80.5	0.031
-2.0	0.709	6.2	0.320	19.5	0.050	40.0	0.135	60.5	0.208	81.0	0.028
-1.8	0.744	6.4	0.286	20.0	0.032	40.5	0.138	61.0	0.215	81.5	0.025
-1.6	0.778	6.6	0.253	20.5	0.021	41.0	0.138	61.5	0.220	82.0	0.022
-1.4	0.809	6.8	0.221	21.0	0.029	41.5	0.136	62.0	0.224	82.5	0.019
-1.2	0.839	7.0	0.192	21.5	0.047	42.0	0.132	62.5	0.227	83.0	0.017
-1.0	0.866	7.2	0.165	22.0	0.067	42.5	0.126	63.0	0.229	83.5	0.014
-0.8	0.891	7.4	0.141	22.5	0.085	43.0	0.119	63.5	0.230	84.0	0.012
-0.6	0.914	7.6	0.122	23.0	0.100	43.5	0.109	64.0	0.230	84.5	0.011
-0.4	0.934	7.8	0.107	23.5	0.112	44.0	0.099	64.5	0.229	85.0	0.009
-0.2	0.952	8.0	0.099	24.0	0.121	44.5	0.087	65.0	0.227	85.5	0.007
0.0	0.967	8.2	0.098	24.5	0.125	45.0	0.075	65.5	0.223	86.0	0.006
0.2	0.979	8.4	0.103	25.0	0.125	45.5	0.062	66.0	0.220	86.5	0.005
0.4	0.988	8.6	0.111	25.5	0.121	46.0	0.050	66.5	0.215	87.0	0.004
0.6	0.995	8.8	0.121	26.0	0.114	46.5	0.037	67.0	0.209	87.5	0.003
0.8	0.999	9.0	0.132	26.5	0.104	47.0	0.025	67.5	0.203	88.0	0.002
1.0	1.000	9.2	0.143	27.0	0.092	47.5	0.015	68.0	0.197	88.5	0.001
1.2	0.998	9.4	0.154	27.5	0.078	48.0	0.005	68.5	0.190	89.0	0.001
1.4	0.994	9.6	0.163	28.0	0.064	48.5	0.006	69.0	0.183	89.5	0.000
1.6	0.987	9.8	0.171	28.5	0.052	49.0	0.013	69.5	0.175	90.0	0.000
1.8	0.977	10.0	0.178	29.0	0.044	49.5	0.020	70.0	0.167		
2.0	0.964	10.2	0.183	29.5	0.042	50.0	0.025	70.5	0.159		
2.2	0.949	10.4	0.188	30.0	0.047	50.5	0.030	71.0	0.151		

Remarks:



CITY GRADE COVERAGE
KGMB-DT 15 KW-DA 109 M RCAMSL CH. 22

ASRN 1005850

48 dBu F(50,90)

PRINCIPAL COMMUNITY

City of Honolulu

0 4 8 12

Kilometers

2000 CENSUS
DTV Buildout (100%): 793,712
41 dBu Coverage (98.4%): 780,685

Prepared by

LOHNES AND CULVER
Laurel, Maryland

May 2005